

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING**OFFENSE CHARGED**

18 U.S.C. § 371 - Conspiracy to Possess Unregistered Firearms

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony**PENALTY:**

5 years imprisonment; \$250,000 fine; 3 years supervised release and \$100 special assessment

**PROCEEDING**Name of Complainant Agency, or Person (& Title, if any)  
FEDERAL BUREAU OF INVESTIGATION☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending case involving this same defendant☒ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

4:07-70388WDB

Name and Office of Person  
Furnishing Information on  
THIS FORM**SCOTT N. SCHOOLS**☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)Name of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

THOMAS RICHARD WILLIAMS

DISTRICT COURT NUMBER

CR07-00442

SBA

**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of Institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... If Arresting Agency &amp; Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS\*☐ WARRANT Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDINGName of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA**OFFENSE CHARGED**18 U.S.C. § 371 - Conspiracy to  
Possess Unregistered Firearms

- ☐
- Petty
- 
- ☐
- Minor
- 
- ☐
- Misdemeanor
- 
- ☒
- Felony

**PENALTY:**5 years imprisonment; \$250,000 fine; 3 years supervised  
release and \$100 special assessment**PROCEEDING**Name of Complainant Agency, or Person (& Title, if any)  
FEDERAL BUREAU OF INVESTIGATION☐ person is awaiting trial in another Federal or State  
Court, give name of court☐ this person/proceeding is transferred from another  
district per (circle one) FRCrP 20, 21 or 40. Show  
District☐ this is a reprosecution of  
charges previously dismissed  
which were dismissed on  
motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a  
pending case involving this same  
defendant☒ prior proceedings or appearance(s)  
before U.S. Magistrate regarding  
this defendant were recorded underSHOW  
DOCKET NO.MAGISTRATE  
CASE NO.

4:07-70388WDB

Name and Office of Person  
Furnishing Information on  
THIS FORM**SCOTT N. SCHOOLS**☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)**DEFENDANT - U.S.**

RAFAEL MIRANDA

DISTRICT COURT NUMBER

CR07-00442.SBA

**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding.  
If not detained give date any prior summons  
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State
- If answer to (6) is "Yes", show name of Institution

Has detainer  
been filed? ☐ Yes ☐ NoIf "Yes"  
give date  
filed**DATE OF  
ARREST**

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

**DATE TRANSFERRED  
TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS\*☐ WARRANT Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons  
or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
CRIMINAL DIVISION  
VENUE: OAKLAND

E-filing

UNITED STATES OF AMERICA,

v.

THOMAS RICHARD WILLIAMS and  
RAFAEL MIRANDA,

CRO7-00442

SBA

DEFENDANT.

## INDICTMENT

18 U.S.C. § 371 - Conspiracy to Possess Unregistered  
Firearms

A true bill.

David M. [Signature]  
Foreman

Filed in open court this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Clerk

Bail, \$ No process.  
Wayne D. Brazil 7-12-07

FILED  
2007 JUL 12 PM 1:02  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND, CALIFORNIA

1 SCOTT N. SCHOOLS (SCBN 9990)  
2 United States Attorney

E-filing

FILED

2007 JUL 12 PM 1:02

RICHARD W. KING  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 THOMAS RICHARD WILLIAMS and  
16 RAFAEL MIRANDA,

17 Defendants.

No.

CR07-00442  
VIOLATION: 18 U.S.C. § 371 - Conspiracy  
to Possess Unregistered Firearms

OAKLAND VENUE

18  
19 INDICTMENT

20 The Grand Jury charges:

21 COUNT ONE: (18 U.S.C. § 371 - Conspiracy)

22 1. Between on or about March 25, 2007 and on or about June 28, 2007, in the Northern  
23 District of California, the defendants,

24 THOMAS RICHARD WILLIAMS and  
25 RAFAEL MIRANDA,

26 did knowingly conspire to commit offenses against the United States, namely, (a) receiving and  
27 possessing a firearm not registered to them in the National Firearms Registration and Transfer  
28 Record, in violation of 26 U.S.C. § 5861(d), and (b) receiving and possessing a firearm which  
was not identified by serial number, in violation of 26 U.S.C. § 5861(i).

INDICTMENT

1           2. In furtherance of the conspiracy and to attain the objects thereof, defendants committed  
2 the following overt acts in the Northern District of California:

3           a. On or about March 25, 2007, WILLIAMS contacted a confidential  
4 informant by telephone and indicated that he needed two .22 caliber handguns with silencers  
5 (meaning equipped with a device for silencing, muffling, or diminishing the report of a portable  
6 firearm) to commit a robbery.

7           b. On or about March 30, 2007, WILLIAMS spoke to the confidential  
8 informant by telephone and indicated that he would be willing to pay \$5000 for the two weapons  
9 equipped with silencers and that he would confirm this with MIRANDA.

10          c. On or about March 31, 2007, WILLIAMS contacted the confidential  
11 informant by telephone and asked what brand of weapons he would recommend, and when the  
12 confidential informant replied Walthers or Berettas, WILLIAMS said he would discuss it with  
13 MIRANDA.

14          d. In or about April, 2007, WILLIAMS contacted the confidential informant  
15 by telephone and indicated that the weapons should have obliterated serial numbers and  
16 confirmed that WILLIAMS and MIRANDA would pay \$5,000 for the weapons.

17          e. On or about June 28, 2007:

18               (1) WILLIAMS and MIRANDA drove to Crockett, California, to meet  
19 with the confidential informant.

20               (2) WILLIAMS and MIRANDA met with the confidential informant at a  
21 restaurant and discussed potential targets for robbery in Northern and Southern California.

22               (3) WILLIAMS and MIRANDA left the restaurant, sat in the confidential  
23 informant's vehicle, and physically examined two .22 caliber handguns equipped with silencers  
24 with obliterated serial numbers for which they previously had paid the confidential informant  
25 \$5,000.

26               (4) WILLIAMS placed the box containing the weapons equipped with  
27 silencers next to him in the back seat of the confidential informant's vehicle and advised the  
28 confidential informant that he had done a "good job" obtaining the weapons, and directed the

INDICTMENT

1 confidential informant to drive to the site of the potential robbery.

2 All in violation of Title 18, United States Code, Section 371.


3 DATED:


A TRUE BILL.

4 7/12/2007

5   
FOREPERSON

6 SCOTT N. SCHOOLS  
7 United States Attorney

8   
9 W. DOUGLAS SPRAGUE  
10 Chief, Oakland Branch

11 (Approved as to form:   
12 AUSA Morgan-Kelly

23  
24  
25  
26  
27  
28  
INDICTMENT